
SENATE BILL 6769

State of Washington

60th Legislature

2008 Regular Session

By Senators Schoesler and Fairley

Read first time 01/23/08. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to removing obsolete provisions of the Revised Code
2 of Washington; amending RCW 36.70A.130, 46.68.290, 49.12.450,
3 51.48.100, 71A.16.030, 78.56.160, 81.112.050, and 28B.115.020; and
4 repealing RCW 28B.115.060 and 77.65.230.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 36.70A.130 and 2006 c 285 s 2 are each amended to read
7 as follows:

8 (1)(a) Each comprehensive land use plan and development regulations
9 shall be subject to continuing review and evaluation by the county or
10 city that adopted them. Except as otherwise provided, a county or city
11 shall take legislative action to review and, if needed, revise its
12 comprehensive land use plan and development regulations to ensure the
13 plan and regulations comply with the requirements of this chapter
14 according to the time periods specified in subsection (4) of this
15 section.

16 (b) Except as otherwise provided, a county or city not planning
17 under RCW 36.70A.040 shall take action to review and, if needed, revise
18 its policies and development regulations regarding critical areas and
19 natural resource lands adopted according to this chapter to ensure

1 these policies and regulations comply with the requirements of this
2 chapter according to the time periods specified in subsection (4) of
3 this section. Legislative action means the adoption of a resolution or
4 ordinance following notice and a public hearing indicating at a
5 minimum, a finding that a review and evaluation has occurred and
6 identifying the revisions made, or that a revision was not needed and
7 the reasons therefor.

8 (c) The review and evaluation required by this subsection may be
9 combined with the review required by subsection (3) of this section.
10 The review and evaluation required by this subsection shall include,
11 but is not limited to, consideration of critical area ordinances and,
12 if planning under RCW 36.70A.040, an analysis of the population
13 allocated to a city or county from the most recent ten-year population
14 forecast by the office of financial management.

15 (d) Any amendment of or revision to a comprehensive land use plan
16 shall conform to this chapter. Any amendment of or revision to
17 development regulations shall be consistent with and implement the
18 comprehensive plan.

19 (2)(a) Each county and city shall establish and broadly disseminate
20 to the public a public participation program consistent with RCW
21 36.70A.035 and 36.70A.140 that identifies procedures and schedules
22 whereby updates, proposed amendments, or revisions of the comprehensive
23 plan are considered by the governing body of the county or city no more
24 frequently than once every year. "Updates" means to review and revise,
25 if needed, according to subsection (1) of this section, and the time
26 periods specified in subsection (4) of this section or in accordance
27 with the provisions of subsections (5) and (8) of this section.
28 Amendments may be considered more frequently than once per year under
29 the following circumstances:

30 (i) The initial adoption of a subarea plan that does not modify the
31 comprehensive plan policies and designations applicable to the subarea;

32 (ii) The adoption or amendment of a shoreline master program under
33 the procedures set forth in chapter 90.58 RCW;

34 (iii) The amendment of the capital facilities element of a
35 comprehensive plan that occurs concurrently with the adoption or
36 amendment of a county or city budget; and

37 (iv) (~~Until June 30, 2006, the designation of recreational lands~~

1 ~~under RCW 36.70A.1701. A county amending its comprehensive plan~~
2 ~~pursuant to this subsection (2)(a)(iv) may not do so more frequently~~
3 ~~than every eighteen months; and~~

4 (v)) The adoption of comprehensive plan amendments necessary to
5 enact a planned action under RCW 43.21C.031(2), provided that
6 amendments are considered in accordance with the public participation
7 program established by the county or city under this subsection (2)(a)
8 and all persons who have requested notice of a comprehensive plan
9 update are given notice of the amendments and an opportunity to
10 comment.

11 (b) Except as otherwise provided in (a) of this subsection, all
12 proposals shall be considered by the governing body concurrently so the
13 cumulative effect of the various proposals can be ascertained.
14 However, after appropriate public participation a county or city may
15 adopt amendments or revisions to its comprehensive plan that conform
16 with this chapter whenever an emergency exists or to resolve an appeal
17 of a comprehensive plan filed with a growth management hearings board
18 or with the court.

19 (3)(a) Each county that designates urban growth areas under RCW
20 36.70A.110 shall review, at least every ten years, its designated urban
21 growth area or areas, and the densities permitted within both the
22 incorporated and unincorporated portions of each urban growth area. In
23 conjunction with this review by the county, each city located within an
24 urban growth area shall review the densities permitted within its
25 boundaries, and the extent to which the urban growth occurring within
26 the county has located within each city and the unincorporated portions
27 of the urban growth areas.

28 (b) The county comprehensive plan designating urban growth areas,
29 and the densities permitted in the urban growth areas by the
30 comprehensive plans of the county and each city located within the
31 urban growth areas, shall be revised to accommodate the urban growth
32 projected to occur in the county for the succeeding twenty-year period.
33 The review required by this subsection may be combined with the review
34 and evaluation required by RCW 36.70A.215.

35 (4) The department shall establish a schedule for counties and
36 cities to take action to review and, if needed, revise their
37 comprehensive plans and development regulations to ensure the plan and
38 regulations comply with the requirements of this chapter. Except as

1 provided in subsections (5) and (8) of this section, the schedule
2 established by the department shall provide for the reviews and
3 evaluations to be completed as follows:

4 (a) On or before December 1, 2004, and every seven years
5 thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce,
6 Snohomish, Thurston, and Whatcom counties and the cities within those
7 counties;

8 (b) On or before December 1, 2005, and every seven years
9 thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and
10 Skamania counties and the cities within those counties;

11 (c) On or before December 1, 2006, and every seven years
12 thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and
13 Yakima counties and the cities within those counties; and

14 (d) On or before December 1, 2007, and every seven years
15 thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield,
16 Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille,
17 Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities
18 within those counties.

19 (5)(a) Nothing in this section precludes a county or city from
20 conducting the review and evaluation required by this section before
21 the time limits established in subsection (4) of this section.
22 Counties and cities may begin this process early and may be eligible
23 for grants from the department, subject to available funding, if they
24 elect to do so.

25 (b) A county that is subject to a schedule established by the
26 department under subsection (4)(b) through (d) of this section and
27 meets the following criteria may comply with the requirements of this
28 section at any time within the thirty-six months following the date
29 established in the applicable schedule: The county has a population of
30 less than fifty thousand and has had its population increase by no more
31 than seventeen percent in the ten years preceding the date established
32 in the applicable schedule as of that date.

33 (c) A city that is subject to a schedule established by the
34 department under subsection (4)(b) through (d) of this section and
35 meets the following criteria may comply with the requirements of this
36 section at any time within the thirty-six months following the date
37 established in the applicable schedule: The city has a population of
38 no more than five thousand and has had its population increase by the

1 greater of either no more than one hundred persons or no more than
2 seventeen percent in the ten years preceding the date established in
3 the applicable schedule as of that date.

4 (d) State agencies are encouraged to provide technical assistance
5 to the counties and cities in the review of critical area ordinances,
6 comprehensive plans, and development regulations.

7 (6) A county or city subject to the time periods in subsection
8 (4)(a) of this section that, pursuant to an ordinance adopted by the
9 county or city establishing a schedule for periodic review of its
10 comprehensive plan and development regulations, has conducted a review
11 and evaluation of its comprehensive plan and development regulations
12 and, on or after January 1, 2001, has taken action in response to that
13 review and evaluation shall be deemed to have conducted the first
14 review required by subsection (4)(a) of this section. Subsequent
15 review and evaluation by the county or city of its comprehensive plan
16 and development regulations shall be conducted in accordance with the
17 time periods established under subsection (4)(a) of this section.

18 (7) The requirements imposed on counties and cities under this
19 section shall be considered "requirements of this chapter" under the
20 terms of RCW 36.70A.040(1). Only those counties and cities: (a)
21 Complying with the schedules in this section; (b) demonstrating
22 substantial progress towards compliance with the schedules in this
23 section for development regulations that protect critical areas; or (c)
24 complying with the extension provisions of subsection (5)(b) or (c) of
25 this section may receive grants, loans, pledges, or financial
26 guarantees from those accounts established in RCW 43.155.050 and
27 70.146.030. A county or city that is fewer than twelve months out of
28 compliance with the schedules in this section for development
29 regulations that protect critical areas is making substantial progress
30 towards compliance. Only those counties and cities in compliance with
31 the schedules in this section may receive preference for grants or
32 loans subject to the provisions of RCW 43.17.250.

33 (8) Except as provided in subsection (5)(b) and (c) of this
34 section:

35 (a) Counties and cities required to satisfy the requirements of
36 this section according to the schedule established by subsection (4)(b)
37 through (d) of this section may comply with the requirements of this

1 section for development regulations that protect critical areas one
2 year after the dates established in subsection (4)(b) through (d) of
3 this section;

4 (b) Counties and cities complying with the requirements of this
5 section one year after the dates established in subsection (4)(b)
6 through (d) of this section for development regulations that protect
7 critical areas shall be deemed in compliance with the requirements of
8 this section; and

9 (c) This subsection (8) applies only to the counties and cities
10 specified in subsection (4)(b) through (d) of this section, and only to
11 the requirements of this section for development regulations that
12 protect critical areas that must be satisfied by December 1, 2005,
13 December 1, 2006, and December 1, 2007.

14 (9) Notwithstanding subsection (8) of this section and the
15 substantial progress provisions of subsection ~~((s))~~ (7) ~~((and (10)))~~ of
16 this section, only those counties and cities complying with the
17 schedule in subsection (4) of this section, or the extension provisions
18 of subsection (5)(b) or (c) of this section, may receive preferences
19 for grants, loans, pledges, or financial guarantees from those accounts
20 established in RCW 43.155.050 and 70.146.030.

21 ~~(((10) Until December 1, 2005, and notwithstanding subsection (7)
22 of this section, a county or city subject to the time periods in
23 subsection (4)(a) of this section demonstrating substantial progress
24 towards compliance with the schedules in this section for its
25 comprehensive land use plan and development regulations may receive
26 grants, loans, pledges, or financial guarantees from those accounts
27 established in RCW 43.155.050 and 70.146.030. A county or city that is
28 fewer than twelve months out of compliance with the schedules in this
29 section for its comprehensive land use plan and development regulations
30 is deemed to be making substantial progress towards compliance.))~~

31 **Sec. 2.** RCW 46.68.290 and 2006 c 337 s 5 are each amended to read
32 as follows:

33 (1) The transportation partnership account is hereby created in the
34 state treasury. All distributions to the account from RCW 46.68.090
35 must be deposited into the account. Money in the account may be spent
36 only after appropriation. Expenditures from the account must be used
37 only for projects or improvements identified as 2005 transportation

1 partnership projects or improvements in the omnibus transportation
2 appropriations act, including any principal and interest on bonds
3 authorized for the projects or improvements.

4 (2) The legislature finds that:

5 (a) Citizens demand and deserve accountability of transportation-
6 related programs and expenditures. Transportation-related programs
7 must continuously improve in quality, efficiency, and effectiveness in
8 order to increase public trust;

9 (b) Transportation-related agencies that receive tax dollars must
10 continuously improve the way they operate and deliver services so
11 citizens receive maximum value for their tax dollars; and

12 (c) Fair, independent, comprehensive performance audits of
13 transportation-related agencies overseen by the elected state auditor
14 are essential to improving the efficiency, economy, and effectiveness
15 of the state's transportation system.

16 (3) For purposes of chapter 314, Laws of 2005:

17 (a) "Performance audit" means an objective and systematic
18 assessment of a state agency or agencies or any of their programs,
19 functions, or activities by the state auditor or designee in order to
20 help improve agency efficiency, effectiveness, and accountability.
21 Performance audits include economy and efficiency audits and program
22 audits.

23 (b) "Transportation-related agency" means any state agency, board,
24 or commission that receives funding primarily for transportation-
25 related purposes. At a minimum, the department of transportation, the
26 transportation improvement board or its successor entity, the county
27 road administration board or its successor entity, and the traffic
28 safety commission are considered transportation-related agencies. The
29 Washington state patrol and the department of licensing shall not be
30 considered transportation-related agencies under chapter 314, Laws of
31 2005.

32 (4) Within the authorities and duties under chapter 43.09 RCW, the
33 state auditor shall establish criteria and protocols for performance
34 audits. Transportation-related agencies shall be audited using
35 criteria that include generally accepted government auditing standards
36 as well as legislative mandates and performance objectives established
37 by state agencies. Mandates include, but are not limited to, agency

1 strategies, timelines, program objectives, and mission and goals as
2 required in RCW 43.88.090.

3 (5) Within the authorities and duties under chapter 43.09 RCW, the
4 state auditor may conduct performance audits for transportation-related
5 agencies. The state auditor shall contract with private firms to
6 conduct the performance audits.

7 (6) The audits may include:

8 (a) Identification of programs and services that can be eliminated,
9 reduced, consolidated, or enhanced;

10 (b) Identification of funding sources to the transportation-related
11 agency, to programs, and to services that can be eliminated, reduced,
12 consolidated, or enhanced;

13 (c) Analysis of gaps and overlaps in programs and services and
14 recommendations for improving, dropping, blending, or separating
15 functions to correct gaps or overlaps;

16 (d) Analysis and recommendations for pooling information technology
17 systems used within the transportation-related agency, and evaluation
18 of information processing and telecommunications policy, organization,
19 and management;

20 (e) Analysis of the roles and functions of the transportation-
21 related agency, its programs, and its services and their compliance
22 with statutory authority and recommendations for eliminating or
23 changing those roles and functions and ensuring compliance with
24 statutory authority;

25 (f) Recommendations for eliminating or changing statutes, rules,
26 and policy directives as may be necessary to ensure that the
27 transportation-related agency carry out reasonably and properly those
28 functions vested in the agency by statute;

29 (g) Verification of the reliability and validity of transportation-
30 related agency performance data, self-assessments, and performance
31 measurement systems as required under RCW 43.88.090;

32 (h) Identification of potential cost savings in the transportation-
33 related agency, its programs, and its services;

34 (i) Identification and recognition of best practices;

35 (j) Evaluation of planning, budgeting, and program evaluation
36 policies and practices;

37 (k) Evaluation of personnel systems operation and management;

1 (l) Evaluation of purchasing operations and management policies and
2 practices;

3 (m) Evaluation of organizational structure and staffing levels,
4 particularly in terms of the ratio of managers and supervisors to
5 nonmanagement personnel; and

6 (n) Evaluation of transportation-related project costs, including
7 but not limited to environmental mitigation, competitive bidding
8 practices, permitting processes, and capital project management.

9 (7) Within the authorities and duties under chapter 43.09 RCW, the
10 state auditor must provide the preliminary performance audit reports to
11 the audited state agency for comment. The auditor also may seek input
12 on the preliminary report from other appropriate officials. Comments
13 must be received within thirty days after receipt of the preliminary
14 performance audit report unless a different time period is approved by
15 the state auditor. The final performance audit report shall include
16 the objectives, scope, and methodology; the audit results, including
17 findings and recommendations; the agency's response and conclusions;
18 and identification of best practices.

19 (8) The state auditor shall provide final performance audit reports
20 to the citizens of Washington, the governor, the joint legislative
21 audit and review committee, the appropriate legislative committees, and
22 other appropriate officials. Final performance audit reports shall be
23 posted on the internet.

24 (9) The audited transportation-related agency is responsible for
25 follow-up and corrective action on all performance audit findings and
26 recommendations. The audited agency's plan for addressing each audit
27 finding and recommendation shall be included in the final audit report.
28 The plan shall provide the name of the contact person responsible for
29 each action, the action planned, and the anticipated completion date.
30 If the audited agency does not agree with the audit findings and
31 recommendations or believes action is not required, then the action
32 plan shall include an explanation and specific reasons.

33 The office of financial management shall require periodic progress
34 reports from the audited agency until all resolution has occurred. The
35 office of financial management is responsible for achieving audit
36 resolution. The office of financial management shall annually report
37 by December 31st the status of performance audit resolution to the

1 appropriate legislative committees and the state auditor. The
2 legislature shall consider the performance audit results in connection
3 with the state budget process.

4 The auditor may request status reports on specific audits or
5 findings.

6 ~~((10) For the period from July 1, 2005, until June 30, 2007, the
7 amount of \$4,000,000 is appropriated from the transportation
8 partnership account to the state auditors office for the purposes of
9 subsections (2) through (9) of this section.))~~

10 **Sec. 3.** RCW 49.12.450 and 1998 c 334 s 2 are each amended to read
11 as follows:

12 (1) Notwithstanding the provisions of chapter 49.46 RCW or other
13 provisions of this chapter, the obligation of an employer to furnish or
14 compensate an employee for apparel required during work hours shall be
15 determined only under this section.

16 (2) Employers are not required to furnish or compensate employees
17 for apparel that an employer requires an employee to wear during
18 working hours unless the required apparel is a uniform.

19 (3) As used in this section, "uniform" means:

20 (a) Apparel of a distinctive style and quality that, when worn
21 outside of the workplace, clearly identifies the person as an employee
22 of a specific employer;

23 (b) Apparel that is specially marked with an employer's logo;

24 (c) Unique apparel representing an historical time period or an
25 ethnic tradition; or

26 (d) Formal apparel.

27 (4) Except as provided in subsection (5) of this section, if an
28 employer requires an employee to wear apparel of a common color that
29 conforms to a general dress code or style, the employer is not required
30 to furnish or compensate an employee for that apparel. For the
31 purposes of this subsection, "common color" is limited to the following
32 colors or light or dark variations of such colors: White, tan, or
33 blue, for tops; and tan, black, blue, or gray, for bottoms. An
34 employer is permitted to require an employee to obtain two sets of
35 wearing apparel to accommodate for the seasonal changes in weather
36 which necessitate a change in wearing apparel.

1 (5) If an employer changes the color or colors of apparel required
2 to be worn by any of his or her employees during a two-year period of
3 time, the employer shall furnish or compensate the employees for the
4 apparel. The employer shall be required to furnish or compensate only
5 those employees who are affected by the change. The two-year time
6 period begins on the date the change in wearing apparel goes into
7 effect and ends two years from this date. The beginning and end of the
8 two-year time period applies to all employees regardless of when the
9 employee is hired.

10 ~~((The department shall utilize negotiated rule making as
11 defined by RCW 34.05.310(2)(a) in the development and adoption of rules
12 defining apparel that conforms to a general dress code or style. This
13 subsection expires January 1, 2000.~~

14 ~~(7))~~ For the purposes of this section, personal protective
15 equipment required for employee protection under chapter 49.17 RCW is
16 not deemed to be employee wearing apparel.

17 **Sec. 4.** RCW 51.48.100 and 1985 c 227 s 1 are each amended to read
18 as follows:

19 ~~((1))~~ The director may waive the whole or any part of any penalty
20 charged under this title.

21 ~~((2) Until June 30, 1986: (a) The director may, at his or her
22 discretion, declare a penalty free period of no more than three months
23 only for employers who have never previously registered under RCW
24 51.16.110 for eligible employees under Title 51 RCW; and (b) such
25 employers may qualify once for penalty free status upon payment of up
26 to one year's past due premium in full and satisfaction of the
27 requirements of RCW 51.16.110. Such employers shall be subject to all
28 penalties for any subsequent failure to comply with the requirements of
29 this title.))~~

30 **Sec. 5.** RCW 71A.16.030 and 1998 c 216 s 4 are each amended to read
31 as follows:

32 (1) ~~((The department will develop an outreach program to ensure
33 that any eligible person with developmental disabilities services in
34 homes, the community, and residential habilitation centers will be made
35 aware of these services. This subsection (1) expires June 30, 2003.~~

1 (2)) The secretary shall establish a single procedure for persons
2 to apply for a determination of eligibility for services provided to
3 persons with developmental disabilities.

4 (~~(3) Until June 30, 2003, the procedure set out under subsection~~
5 ~~(1) of this section must require that all applicants and all persons~~
6 ~~with developmental disabilities currently receiving services from the~~
7 ~~division of developmental disabilities within the department be given~~
8 ~~notice of the existence and availability of residential habilitation~~
9 ~~center and community support services. For genuine choice to exist,~~
10 ~~people must know what the options are. Available options must be~~
11 ~~clearly explained, with services customized to fit the unique needs and~~
12 ~~circumstances of developmentally disabled clients and their families.~~
13 ~~Choice of providers and design of services and supports will be~~
14 ~~determined by the individual in conjunction with the department. When~~
15 ~~the person cannot make these choices, the person's legal guardian may~~
16 ~~make them, consistent with chapter 11.88 or 11.92 RCW. This subsection~~
17 ~~expires June 30, 2003.~~

18 (4)) (2) An application may be submitted by a person with a
19 developmental disability, by the legal representative of a person with
20 a developmental disability, or by any other person who is authorized by
21 rule of the secretary to submit an application.

22 **Sec. 6.** RCW 78.56.160 and 1998 c 245 s 161 are each amended to
23 read as follows:

24 (1) (~~Until June 30, 1996, there shall be a moratorium on metals~~
25 ~~mining and milling operations using the heap leach extraction~~
26 ~~process.)) The department of natural resources and the department of
27 ecology shall jointly review the existing laws and regulations
28 pertaining to the heap leach extraction process for their adequacy in
29 safeguarding the environment.~~

30 (2) Metals mining using the process of in situ extraction is
31 permanently prohibited in the state of Washington.

32 **Sec. 7.** RCW 81.112.050 and 1998 c 192 s 1 are each amended to read
33 as follows:

34 (1) At the time of formation, the area to be included within the
35 boundary of the authority shall be that area set forth in the system
36 plan adopted by the joint regional policy committee. Prior to

1 submitting the system and financing plan to the voters, the authority
2 may make adjustments to the boundaries as deemed appropriate but must
3 assure that, to the extent possible, the boundaries: (a) Include the
4 largest-population urban growth area designated by each county under
5 chapter 36.70A RCW; and (b) follow election precinct boundaries. If a
6 portion of any city is determined to be within the service area, the
7 entire city must be included within the boundaries of the authority.

8 (2) After voters within the authority boundaries have approved the
9 system and financing plan, elections to add areas contiguous to the
10 authority boundaries may be called by resolution of the regional
11 transit authority, after consultation with affected transit agencies
12 and with the concurrence of the legislative authority of the city or
13 town if the area is incorporated, or with the concurrence of the county
14 legislative authority if the area is unincorporated. Only those areas
15 that would benefit from the services provided by the authority may be
16 included and services or projects proposed for the area must be
17 consistent with the regional transportation plan. The election may
18 include a single ballot proposition providing for annexation to the
19 authority boundaries and imposition of the taxes at rates already
20 imposed within the authority boundaries.

21 ~~((3) Upon receipt of a resolution requesting exclusion from the
22 boundaries of the authority from a city whose municipal boundaries
23 cross the boundaries of an authority and thereby result in only a
24 portion of the city being subject to local option taxes imposed by the
25 authority under chapters 81.104 and 81.112 RCW in order to implement a
26 high capacity transit plan, and where the vote to approve the city's
27 incorporation occurred simultaneously with an election approving the
28 local option taxes, then upon a two thirds majority vote of the
29 governing board of the authority, the governing board shall redraw the
30 boundaries of the authority to exclude that portion of the city that is
31 located within the authority's boundaries, and the excluded area is no
32 longer subject to local option taxes imposed by the authority. This
33 subsection expires December 31, 1998.))~~

34 **Sec. 8.** RCW 28B.115.020 and 1991 c 332 s 15 are each amended to
35 read as follows:

36 Unless the context clearly requires otherwise, the definitions in
37 this section apply throughout this chapter.

- 1 (1) "Board" means the higher education coordinating board.
- 2 (2) "Department" means the state department of health.
- 3 (3) "Eligible education and training programs" means education and
4 training programs approved by the department that lead to eligibility
5 for a credential as a credentialed health care professional.
- 6 (4) "Eligible expenses" means reasonable expenses associated with
7 the costs of acquiring an education such as tuition, books, equipment,
8 fees, room and board, and other expenses determined by the board.
- 9 (5) "Eligible student" means a student who has been accepted into
10 an eligible education or training program and has a declared intention
11 to serve in a health professional shortage area upon completion of the
12 education or training program.
- 13 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
14 health care services in a health professional shortage area in the
15 state of Washington in lieu of monetary repayment.
- 16 (7) "Health professional shortage areas" means those areas where
17 credentialed health care professionals are in short supply as a result
18 of geographic maldistribution or as the result of a short supply of
19 credentialed health care professionals in specialty health care areas
20 and where vacancies exist in serious numbers that jeopardize patient
21 care and pose a threat to the public health and safety. The department
22 shall determine health professional shortage areas as provided for in
23 RCW 28B.115.070(~~(, or until June 1, 1992, as provided for in RCW~~
24 ~~28B.115.060)~~). In making health professional shortage area
25 designations in the state the department may be guided by applicable
26 federal standards for "health manpower shortage areas," and "medically
27 underserved areas," and "medically underserved populations."
- 28 (8) "Credentialed health care profession" means a health care
29 profession regulated by a disciplining authority in the state of
30 Washington under RCW 18.130.040 or by the state board of pharmacy under
31 chapter 18.64 RCW and designated by the department in RCW
32 28B.115.070(~~(, or until June 1, 1992, as established in RCW~~
33 ~~28B.115.060)~~) as a profession having shortages of credentialed health
34 care professionals in the state.
- 35 (9) "Credentialed health care professional" means a person
36 regulated by a disciplining authority in the state of Washington to
37 practice a health care profession under RCW 18.130.040 or by the state
38 board of pharmacy under chapter 18.64 RCW.

1 (10) "Loan repayment" means a loan that is paid in full or in part
2 if the participant renders health care services in a health
3 professional shortage area as defined by the department.

4 (11) "Nonshortage rural area" means a nonurban area of the state of
5 Washington that has not been designated as a rural physician shortage
6 area. The department shall identify the nonshortage rural areas of the
7 state.

8 (12) "Participant" means a credentialed health care professional
9 who has received a loan repayment award and has commenced practice as
10 a credentialed health care provider in a designated health professional
11 shortage area or an eligible student who has received a scholarship
12 under this program.

13 (13) "Program" means the health professional loan repayment and
14 scholarship program.

15 (14) "Required service obligation" means an obligation by the
16 participant to provide health care services in a health professional
17 shortage area for a period to be established as provided for in this
18 chapter.

19 (15) "Rural physician shortage area" means rural geographic areas
20 where primary care physicians are in short supply as a result of
21 geographic maldistributions and where their limited numbers jeopardize
22 patient care and pose a threat to public health and safety. The
23 department shall designate rural physician shortage areas.

24 (16) "Satisfied" means paid-in-full.

25 (17) "Scholarship" means a loan that is forgiven in whole or in
26 part if the recipient renders health care services in a health
27 professional shortage area.

28 (18) "Sponsoring community" means a rural hospital or hospitals as
29 authorized in chapter 70.41 RCW, a rural health care facility or
30 facilities as authorized in chapter 70.175 RCW, or a city or county
31 government or governments.

32 NEW SECTION. **Sec. 9.** The following acts or parts of acts are each
33 repealed:

34 (1) RCW 28B.115.060 (Eligible credentialed health care
35 professions--Required service obligations) and 1991 c 332 s 19; and

36 (2) RCW 77.65.230 (Surcharge on Dungeness crab-coastal fishery

1 licenses and Dungeness crab-coastal class B fishery licenses--Dungeness
2 crab appeals account) and 2000 c 107 s 44 & 1994 c 260 s 15.

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